AMENDMENTS TO THE CLAIMS

1. (currently amended) A method for producing a fertile transgenic plant, comprising the steps of:

(a) inoculating a regenerable plant cell or tissue selected from the group consisting of wheat immature embryos, maize immature embryos, wheat embryogenic callus, maize embryogenic callus, soybean hypocotyl sections or soybean callus suspension cell cultures with a solution comprising *Agrobacterium* containing a genetic component, said genetic component comprising a ~~structural DNA~~ nucleic acid sequence of interest encoding a selectable marker that functions in the identification of a transformed plant cell or tissue, to produce an Agrobacterium-inoculated explant;

(b) substantially removing said solution of *Agrobacterium*;

(c) ~~(b)~~ co-culturing said *Agrobacterium*-inoculated explant in a vessel ~~containing~~ with about 100 to about 300 microliters of a media, said media not containing a gelling agent~~, and adding water in an amount between 100-300 microliters thereto~~ wherein the weight of the *Agrobacterium*-inoculated explant is reduced from about 20% to about 35% by the end of ~~during~~ the co-culture period;

(d) ~~(c)~~ identifying and selecting a transformed plant cell or tissue comprising said genetic component; and

(e) ~~(d)~~ regenerating a transgenic plant therefrom.

2. (previously presented) The method of claim 1 wherein the regenerable cell or tissue is an immature embryo and is precultured prior to step (a).

3-6. (canceled)

7. (currently amended) The method of claim [[3]] 1 wherein the co-culture period is from one hour to about 6 days.

8. (currently amended) The method of claim [[3]] 1 wherein the co-culture period is from about one day to about 4 days.

9. (currently amended) The method of claim [[3]] 1 wherein the co-culture period is from about one day to about 3 days.

10 - 17. (canceled)

18. (currently amended) A method for producing a fertile transgenic plant, comprising the steps of:

(a) inoculating a regenerable plant cell or tissue selected from the group consisting of wheat immature embryos, maize immature embryos, wheat embryogenic callus, maize embryogenic callus, soybean hypocotyl sections or soybean callus suspension cell cultures with a solution comprising *Agrobacterium* containing a genetic component, said genetic component comprising a ~~structural DNA~~ nucleic acid sequence of interest encoding a screenable marker that functions in the identification of a transformed plant cell or tissue, to produce an *Agrobacterium*-inoculated explant;

(b) substantially removing said solution of *Agrobacterium*;

(c) ~~(b)~~ co-culturing said *Agrobacterium*-inoculated explant in a vessel ~~containing~~ with about 100 to about 300 microliters of a media, said media not containing a gelling agent~~, and adding water in an amount between 100-300 microliters thereto~~ wherein the weight of the *Agrobacterium*-inoculated explant is reduced from about 20% to about 35% by the end of ~~during~~ the co-culture period;

(d) ~~(c)~~ identifying and selecting a transformed plant cell or tissue comprising said genetic component; and

(e) ~~(d)~~ regenerating a transgenic plant therefrom.

19. (previously presented) The method of claim 18 wherein the regenerable cell or tissue is an immature embryo and is precultured prior to step (a).

20. (canceled)

21. (canceled)

22. (currently amended) A method for producing a fertile transgenic plant, comprising the steps of:

(a) inoculating a regenerable plant cell or tissue selected from the group consisting of wheat immature embryos, maize immature embryos, wheat embryogenic callus, maize embryogenic callus, soybean hypocotyl sections or soybean callus cell suspension cell cultures with a solution comprising *Agrobacterium* containing a genetic component, said genetic component comprising a ~~structural DNA~~ nucleic acid sequence of interest encoding a selectable marker that functions in the identification of a transformed plant cell or tissue, to produce an *Agrobacterium*-inoculated explant;

(b) substantially removing said solution of *Agrobacterium*;

(c) ~~(b)~~ co-culturing said *Agrobacterium*-inoculated explant in a vessel ~~containing~~ with about 100 to about 300 microliters of a media, said media not containing a gelling agent, wherein the weight of the *Agrobacterium*-inoculated explant is reduced from about 20% to about 35% by the end of ~~during~~ the co-culture period and wherein the manner for controlling said reduction in the weight of the *Agrobacterium*-inoculated explant comprises limitation or removal of water from the vessel containing said explant;

(d) ~~(c)~~ identifying and selecting a transformed plant cell or tissue comprising said genetic component; and

(e) ~~(d)~~ regenerating a transgenic plant therefrom.

23. (previously presented) The method of claim 1 wherein the regenerable cell or tissue is an immature embryo and is precultured prior to step (a).

24. (previously presented) The method of claim 1 wherein the vessel contains ~~media is~~ filter paper.

25. (previously presented) The method of claim 18 wherein the vessel contains ~~media is~~ filter paper.

26. (canceled)

27. (previously presented) The method of claim 22 wherein the vessel contains ~~media is~~ filter paper.